

### **Remarks**

By this Office Action, the Examiner has required restriction to one of the following inventions under 35 U.S.C. 121 and 372.

Group I -- Claims 1-21 and 23 drawn to a method of obtaining a recombinant glucose binding protein expressed in on-plan host cells by reducing the glycogen content of a lysate of said cells;

Group II -- Claim 22, drawn to the use of a buffer in which glycogen is soluble but the glucose binding protein is insoluble in the purification of a recombinant glucose binding protein;

Group III -- Claims 24-26, drawn to a recombinant glucose binding protein that is substantially free of glycogen and other impurities; and

GROUP IV -- Claims 27-42, drawn to the use of recombinant glucose binding protein that is substantially free of glycogen and other impurities.

Responsive to the requirement for restriction, Applicant elects, *without* traverse, to prosecute the invention of Group I embraced by claims **1-21**, as amended, directed to a method of obtaining a recombinant glucose binding protein expressed in non-plant host cells by reducing the glycogen content of a lysate of said cells.

By way of the instant response, claims 7, 9-10, 12-13, 17, 22, 24, and 39 have been amended to provide greater clarity. Claim 23 is canceled. Support for the amendment is found in the claims as filed. It is submitted that no new matter is introduced by this response.

Furthermore, claims to the non-elected Groups II to IV have been amended, pursuant to 37 C.F.R. 1.121 (c)(2) and MPEP 714 (II)(c)(A), to include all the limitations of the independent claim 1 of the elected Group I. In the event that the elected invention of Group I is found to be allowable, the rejoinder of the non-elected inventions of Groups II to IV is hereby requested under MPEP 821.04.

If there are any questions or concerns as to patentability, the Examiner is invited to telephone the undersigned so that the matter can be promptly handled and the case be passed on to issue.

Respectfully submitted,

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